

REMARKS

Claims 1-16 are pending in this application. In the Office Action dated June 28, 2004, it was indicated that claims 1-16 would be allowable once the examiner's objections to the claims were addressed. These formal matters have been addressed by the above amendment, and it is submitted that claims 1-16 are now in condition for allowance.

The Office Action indicated that the application did not include an Abstract of the Disclosure. An abstract of the disclosure commencing on a separate sheet is provided herewith.

It is noted that drawing Figure 2 includes wording in a foreign language. A new drawing sheet that includes an English translation of "selezione del fascio," namely "bundle selection," is submitted herewith, and its entry is respectfully requested.

It is also noted that DE 19639414, listed on the PTO-1449 submitted with this application, was crossed off the form PTO-1449 attached to the June 28, 2004, Office Action, apparently to show that it was not considered by the examiner. This reference is discussed at length in the International Preliminary Examination Report (IPER). MPEP 1893.03(e) provides that "the examiner should comment upon the Report [the IPER] in the first Office Action on the merits to reflect that the Report has been considered. The comment may be a mere acknowledgement." The Office Action dated June 28, 2004, does not include an acknowledgement that the IPER

has been considered. It is respectfully requested that the examiner provide an acknowledgement that the IPER and its discussion of DE 19639414 has been considered.

Conclusion

Each issue raised in the Office Action dated June 28, 2004, has been addressed, and it is believed that claims 1-16 are now in condition for allowance. Wherefore the reconsideration and allowance of claims 1-16 is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #35,491
✓ Michael K. Mutter, #29,680

^{AM}
MKM/STW/fjl
3606-108P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s) : Abstract of the Disclosure
Substitute Drawing Sheet